

Application No.: 10/643,315
Amendment and Response dated October 8, 2008
Office Action mailed August 11, 2008
Docket No.: 760-100 CIP/RCE
Page 12

REMARKS

Claims 1 to 47 are pending in this application. Claims 16, 18, 34, 36, and 38 to 47 were previously withdrawn from consideration as being directed to non-elected species/invention.

Claim 5 was canceled in efforts to expedite prosecution and place the claims and present application in condition for allowance. Claims 1 to 4, 6 to 16, 17, 19 to 33, 35 and 37 remain pending.

Obviousness-Type Double Patenting Rejection

Claims 1 to 15, 17, 19 to 33, 35 and 37 have been provisionally rejected on the ground of non-statutory obviousness-type double patenting as being allegedly unpatentable over claims 1 to 3 and 5 to 17 of co-pending Application Number 10/166, 842.

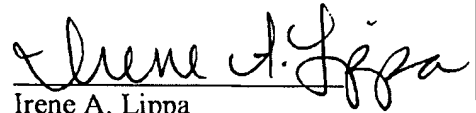
With the present amendment which cancels claim 5, the provisional double patenting rejection is the only remaining rejection in this application. Applicants submit herewith a 'Terminal Disclaimer To Obviate A Provisional Double Patenting Rejection Over A Pending "Reference" Application' along with the required fee of \$130. Thus, as there exists no further objection or rejection to the present application, Applicants kindly request that the application be placed in allowance.

If any additional fees are required, the Commissioner is hereby authorized to charge the amount of any such fee to Deposit Account No. 08-2461. Should the Examiner determine that

Application No.: 10/643,315
Amendment and Response dated October 8, 2008
Office Action mailed August 11, 2008
Docket No.: 760-100 CIP/RCE
Page 13

issues remain that have not been resolved by this response, the Examiner is requested to contact Applicants' representative at the number listed below.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Irene A. Lippa", is written over a horizontal line.

Irene A. Lippa
Registration No.: 60,712
Attorney for Applicants

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, NY 11791
(973) 331-1700